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Drop CIA mail case, U.S. is told

Associated Press

WASHINGTON — Justice Department investigators have recommended that no criminal charges be brought in connection with the CIA's practice of opening mail between the United States and Communist countries between 1953 and 1973, a department source said yesterday.

The source said the criminal division had sent its recommendation to Attorney General Edward H. Levi for review. There was no indication of when Levi might reach a decision about whether to prosecute.

The source said department investigators had recommended against prosecuting any present or former CIA officials involved in the mail-opening project because they had found evidence of presidential approval of the practice.

The Senate Select Committee on Intelligence activities, in its report in April, said it had found no documentary evidence that any president had authorized the CIA to open and inspect letters.

The department source said investigators had reviewed material other than the Senate committee report and had found evidence that presidents knew of the operation. The source would not elaborate.

Department officials involved in the investigation have said that evidence that any president knew about the operation would make it difficult to prosecute the CIA officials who carried it out, even though federal law prohibits tampering with the mail.

The department source also said the investigators seemed inclined not to recommend perjury charges against former CIA Director Richard Helms.

The department was investigating whether Helms committed perjury in testifying before a Senate committee in 1973 that the CIA had not tried to channel money to the opponents of the late Chilean President Salvador Allende.

Later investigations disclosed that the CIA had financed some of Allende's opponents.

Department officials have found it difficult to establish that Helms knowingly perjured himself, the source said.